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September 24, 2010

Craig Whitenack, Civil Investigator
United States Environmental Protection Agency
Region IX, southern California Field Office
600 Wilshire Avenue, Suite 1420
Los Angeles, CA 90017

**RE: Yosemite Creek Superfund Site, San Francisco, CA
Response to 104(e) Information Request**

Dear Mr. Whitenack,

Textron does not agree with the agency's characterization in its August 24, 2010 letter regarding the sufficiency of Textron's January 11, 2010 response. In that response Textron provided USEPA all the information in its possession that was responsive to the request and could reasonably be related to the production of relevant information (other than those documents that Textron understands to already be in the possession of USEPA). Nevertheless, in an effort to address the agency's concerns, as expressed in conversations I have had with Michael Massey and you, Textron provides this supplemental information response. It is not Textron's intent to waive any of its prior objections and it hereby incorporates them by reference.

As way of background, the facility identified by USEPA as having a connection to the Bay Area Drum Site/Yosemite Creek Site is Textron's former Spencer-Kellogg/Kelly Pickering Division, which operated a resin production facility located at 952 Branson Rd. San Carlos, CA. That business was sold to NL Industries in 1985, and with it the business records of that operation. That plant represented the sole operation of Textron's former Spencer-Kellogg/Kelly Pickering operations in California.

1. *Describe generally the nature of the business conducted by Respondent and identify the products manufactured, formulated, or prepared by Respondent throughout its history of operations.*

1. The facility manufactured urethane, copolymer, and alkyd resins for the paint, ink, electrical and adhesive industries. The resins were produced primarily from vegetable oils and related materials. It is believed the nature of its business was little changed during the period of Textron's operation from 1970 to 1985.

2. Provide the name (or other identifier) and address of any facilities where Respondent carried out operations between 1940 and 1988 (the "Relevant Time Period") and that:

- a. ever shipped drums or other containers to the BAD Site for recycling, cleaning, reuse, disposal, or sale.
- b. are/were located in California (excluding locations where ONLY clerical/office work was performed);
- c. are/were located outside of California and shipped any drums or other containers to California for recycling, cleaning, reuse, disposal, or sale (for drums and containers that were shipped to California for sale, include in your response only transactions where the drums and containers themselves were an object of the sale, not transactions where the sole object of the sale was useful product contained in a drum or other container).

a. The only Textron facility that Textron is aware of that may have a connection to the BAD Site is its former Spencer-Kellogg (sometimes referred to as Kelly Pickering) facility located at 956 Branston Rd., San Carlos, CA.

b. While Textron had other California operations during the specified timeframe, none were part of the Spencer-Kellogg/Kelly Pickering Division. Other Textron divisions would have been operated completely independent of the Spencer-Kellogg/Kelly Pickering Division and would not have collaborated or conferred with respect to the purchase of goods or services, including the purchase, handling, or disposal of materials or containers used in their respective businesses. The fact that one Textron division may have used a particular drum reconditioning facility or disposal facility during the relevant time period would have made it no more likely that a separate Textron division would have, anymore than the fact that a particular Textron facility used a particular service provider would make it more likely that a completely separate company, say United Technologies, would have also.

c. Textron is not aware of any of its businesses that were located outside of California during the specified timeframe that would have shipped drums or containers to California.

3. Provide a brief description of the nature of Respondent's operations at each Facility identified in your response to Question 2 (the "Facilities") including:

- a. the date such operations commenced and concluded; and
- b. the types of work performed at each location over time, including but not limited to the industrial, chemical, or institutional processes undertaken at each location.

3. a. Textron operated the former Spencer-Kellogg/Kelly Pickering operation from approximately August 3, 1970 to approximately August 1, 1985.

b. The facility manufactured urethane, copolymer, and alkyd resins for the paint, ink, electrical and adhesive industries. The resins were produced primarily from vegetable oils and related materials. It is believed the nature of its business was little changed during the period of Textron's operations.

4. For each Facility, describe the types of records regarding the storage, production, purchasing, and use of Substances of Interest ("SOI") during the Relevant Time Period that still exist and the periods of time covered by each type of record.

4. Textron does not know all the Chemicals of Concern at the Bay Area Drum Site and therefore does not know what the Substances of Interest are. Therefore, it will answer this request with respect to all chemical substances, regardless of whether they constitute SOI. With respect to the Spencer-Kellogg/Kelly Pickering operation, the facility's business records would have been transferred to NL Industries when Textron sold the business to NL in 1985. In Textron's corporate files in connection with the acquisition of the business in 1970 it has certain supply contracts (that it produced as part of its January 11, 2010 response). These supply contracts it has been able to locate were contracts in existence at the time of its 1970 acquisition. Those are the only business records pertaining to chemical substances used at the Spencer-Kellogg/Kelly Pickering facility that it has been able to locate.

5. Did Respondent ever (not just during the Relevant Time Period) produce, purchase, use, or store one of the COCs (including any substances or wastes containing the COCs) at any of the Facilities? State the factual basis for your response.

5. Textron does not know all of the Chemicals of Concern at the Bay Area Drum Site. Therefore, it will answer this request with respect to all chemical substances, regardless of whether they constitute COCs. According to Textron's response dated July 10, 1992 to an information request from the California Department of Toxic Substances and Control it did produce, purchase, use or store chemical substances at the Spencer-Kellogg/Kelly Pickering facility. The source of this Information was former employees that had worked at the facility. Also, the supply contracts provided by Textron to USEPA in its response dated January 11, 2010 indicate that the facility produced, purchased, used, or stored chemical substances. None of the substances identified in either of these sources, however, appear to be specifically listed in EPA's definition of Chemicals of Concern.

6. If the answer to Question 5 is yes, identify each COC produced, purchased, used, or stored at each Facility.

6. Textron does not know all of the Chemicals of Concern at the Bay Area Drum Site. Therefore, it will answer this request with respect to all chemical substances, regardless of whether they constitute COCs. According to Textron's response dated July 10, 1992 to an information request from the California Department of Toxic Substances and Control, it may have produced, purchased, used or stored the following chemical substances in its operations at the Spencer-Kellogg/Kelly Pickering facility: butyl alcohol, isobutyl alcohol, methyl ethyl ketone, methyl isobutyl acetate, polyalcohols, mineral spirits, VMPH naphtha, xylene, toluene, isopropyl alcohol, and vegetable oils (tall oil fatty acids, bodied linseed oil, china wood oil and castor oil). Additionally, the supply contracts provided by Textron to USEPA in its response dated January 11, 2010, identified the following substances: sunflower oil, castor oil, phthalic anhydride, tung oil, safflower oil, amtol light, walnut oil, maleic anhydride, pentek (pentaerythritol), liquid caustic soda, and glycerine. None of the substances identified in either of these sources, however, appear to be specifically listed in USEPA's definition of Chemicals of Concern.

7. If the answer to Question 5 is yes, identify the time period during which each COC was produced, purchased, used, or stored at each Facility.

7. Textron does not know all of the Chemicals of Concern at the Bay Area Drum Site. Therefore, it will answer this request with respect to all chemical substances, regardless of whether they constitute COCs. While Textron is not aware of the Spencer-Kellogg/Kelly Pickering operation changing significantly in its operations during the period of Textron's ownership it does not have information to indicate for which years specific chemical substances would have been produced, purchased, used, or stored.

8. If the answer to Question 5 is yes, identify the average annual quantity of each COC produced, purchased, used, or stored at each Facility.

8. Textron does not know all of the Chemicals of Concern at the Bay Area Drum Site. Therefore, it will answer this request with respect to all chemical substances, regardless of whether they constitute COCs. The supply contracts provided by Textron to EPA in its response dated January 11, 2010 reference certain volume quantities, generally pertaining to the year 1970. However, since these appear to be forward-looking supply documents (rather than actual invoices for product shipped) it is unknown whether they reflect actual volumes purchased.

9. If the answer to Question 5 is yes, identify the volume of each COC disposed by the Facility annually and describe the method and location of disposal.

9. Textron does not know all of the Chemicals of Concern at the Bay Area Drum Site. Therefore, it will answer this request with respect to all chemical substances, regardless of whether they constitute COCs. According to Textron's response dated July 10, 1992 to an information request from the California Department of Toxic Substances and Control, Textron may have sent drums periodically to the BAD Site for reconditioning or purchased empty drums from the BAD Site during the period August 3, 1970 to August 1, 1985, and at various times during this period approximately 100 drums per month may have been sent. According to the July 10, 1992 response the drums were principally empty with only small amounts of residual substances remaining, possibly a quart of material.

10. Did Respondent ever (not just during the Relevant Time Period) produce, purchase, use, or store hydraulic oil or transformer oil at any of the Facilities? State the factual basis for your response to this question.

10. Respondent does not have any information on this question. It has not operated this business for 25 years and has none of the facility's business records.

11. If the answer to Question 10 is yes, identify each specific type of hydraulic oil and transformer oil produced, purchased, used, or stored at each Facility.

11. Not applicable

12. If the answer to Question 10 is yes, identify the time period during which each type of hydraulic oil and transformer oil was produced, purchased, used, or stored.

12. Not applicable

13. If the answer to Question 10 is yes, identify the average annual quantity of each type hydraulic oil and transformer oil purchased, produced, used, or stored at each Facility.

13. Not applicable

14. If the answer to Question 10 is yes, identify the volume of each hydraulic oil and transformer oil disposed by the Facility annually and describe the method and location of disposal.

14. Not applicable

15. Provide the following information for each SOI (SOIs include any substance or waste containing the SOI) identified in your responses to Questions 5 and 10:
- Describe briefly the purpose for which each SOI was used at the Facility. If there was more than one use, describe each use and the time period for each use;
 - Identify the supplier(s) of the SOIs and the time period during which they supplied the SOIs, and provide copies of all contracts, service orders, shipping manifests, invoices, receipts, canceled checks and other documents pertaining to the procurement of the SOI;
 - State whether the SOIs were delivered to the Facility in bulk or in closed containers, and describe any changes in the method of delivery over time;
 - Describe how, where, when, and by whom the containers used to store the SOIs (or in which the SOIs were purchased) were cleaned, removed from the Facility, and/or disposed of, and describe any changes in cleaning, removal, or disposal practices over time.

15. a. Textron does not know all the Chemicals of Concern at the Bay Area Drum Site and therefore does not know what the Substances of Interest are. Therefore, it will answer this request with respect to all chemical substances, regardless of whether they constitute SOI. Textron understands that the substances identified in its prior responses were used in the manufacture of urethane, copolymer, and alkyd resins.

b. Textron does not know all the Chemicals of Concern at the Bay Area Drum Site and therefore does not know what the Substances of Interest are. Therefore, it will answer this request with respect to all chemical substances, regardless of whether they constitute SOI. The only supplier information that Textron has is contained in the supply agreements that it produced in its January 11, 2010 response.

c. Textron does not know all the Chemicals of Concern at the Bay Area Drum Site and therefore does not know what the Substances of Interest are. Therefore, it will answer this request with respect to all chemical substances, regardless of whether they constitute SOI. The supply agreements that Textron produced in its January 11, 2010 response refer to some material to be provided in drums and some in bulk (tank trucks).

d. Textron does not know all the Chemicals of Concern at the Bay Area Drum Site and therefore does not know what the Substances of Interest are. Therefore, it will answer this request with respect to all chemical substances, regardless of whether they constitute SOI. According to Textron's response dated July 10, 1992 to an information request from the California Department of Toxic Substances and Control, the drums prior to shipment from the Spencer-Kellogg/Kelly Pickering facility would have been drained of substances via a pump.

16. For each SOI delivered to the Facilities in closed containers, describe the containers, including but not limited to:
- the type of container (e.g. 55 gal. drum, tote, etc.);
 - whether the containers were new or used; and
 - if the containers were used, a description of the prior use of the container.

16. Textron does not know all the Chemicals of Concern at the Bay Area Drum Site and therefore does not know what the Substances of Interest are. Therefore, it will answer this request with respect to all chemical substances, regardless of whether they constitute SOI. The only information that Textron has with regard to questions a. through c. is contained in the supply agreements provided as part of its January 11, 2010 response.

17. For each container that Respondent used to store a SOI or in which SOIs were purchased ("Substance-Holding Containers" or "SHCs") that was later removed from the Facility, provide a complete description of where the SHCs were sent and the circumstances under which the SHCs were removed from the Facility. Distinguish between the Relevant Time Period and the time period since 1988, and describe any changes in Respondent's practices over time.

17. Textron does not know all the Chemicals of Concern at the Bay Area Drum Site and therefore does not know what the Substances of Interest are. Therefore, it will answer this request with respect to all chemical substances, regardless of whether they constitute SOI. According to Textron's response to the dated July 10, 1992 to an information request from the California Department of Toxic Substances and Control, drums containing small amounts of residual chemical substances may have been sent to the BAD Site for reconditioning. According to a December 6, 1995 response to an EPA information request dated September 29, 1995 the Spencer-Kellogg/Kelly Pickering facility may have also sent such drums to the Lorentz Barrel Site.

18. For each SHC that was removed from the Facility, describe Respondent's contracts, agreements, or other arrangements under which SHCs were removed from the Facility, and identity all parties to each contract, agreement, or other arrangement described. Distinguish between the Relevant Time Period and the time period since 1988.

18. Textron does not know all the Chemicals of Concern at the Bay Area Drum Site and therefore does not know what the Substances of Interest are. Therefore, it will answer this request with respect to all chemical substances, regardless of whether they constitute SOI. According to Textron's response to the dated July 10, 1992 to an information request from the California Department of Toxic Substances and Control, drums containing small amounts of residual chemical substances may have been sent to the BAD Site for reconditioning. According to a December 6, 1995 response to an EPA information request dated September 29, 1995 the Spencer-Kellogg/Kelly Pickering facility may have also sent such drums to the Lorentz Barrel Site. Textron does not have information regarding the contractual arrangements other than that may be contained in the enclosed documents.

19. For each SHC, provide a complete explanation regarding the ownership of the SHC prior to delivery, while onsite, and after it was removed from the Facility. Distinguish between the Relevant Time Period and the time period since 1988, and describe any changes in Respondent's practices over time.

19. Textron does not know all the Chemicals of Concern at the Bay Area Drum Site and therefore does not know what the Substances of Interest are. Therefore, it will answer this request with respect to all chemical substances, regardless of whether they constitute SOI. Textron does not have any information regarding ownership of any chemical substances.

20. Identify all individuals who currently have, and those who have had, responsibility for procurement of Materials at the Facilities. Also provide each individual's job title, duties, dates performing those duties, current position or the date of the individual's resignation, and the nature of the information possessed by each individual concerning Respondent's procurement of Materials.

20. Textron does not know who these individuals would be. It sold the operation 25 years ago along with the business records from the facility. In 1989, in preparing a response to an earlier EPA information request, believed to be regarding the Lorentz Barrel Site (Textron cannot locate that response—it is referred to in a December 6, 1995 response), Textron consulted the individuals below as employees of the former Spencer-Kellogg/Kelly Pickering facility:

Brian Nippa
Reichhold Chemicals
952 Bransten Rd.
San Carlos, CA
(415) 593-8443

Fred Furrer
Saronix
Palo Alto, CA
(415) 856-6900

Jim Orfans
Reichhold Chemicals
952 Bransten Rd
San Carlos, CA
(415) 593-8443

Jim Tracewski
NL Chemicals
Wickoffs Mill Rd
Hightstown, NJ
(609) 443-2329

21. Describe how each type of waste containing any SOIs was collected and stored at the Facilities prior to disposal/recycling/sale/transport, including:
- a. the type of container in which each type of waste was placed/stored;
 - b. how frequently each type of waste was removed from the Facility;
- Distinguish between the Relevant Time Period and the time period since 1988, and describe any changes in Respondent's practices over time.

21. Textron does not know all the Chemicals of Concern at the Bay Area Drum Site and therefore does not know what the Substances of Interest are. Therefore, it will answer this request with respect to all chemical substances, regardless of whether they constitute SOI. Textron believes chemical substances would have been stored in 55 gallon drums prior to transport off-site. According to Textron's response dated July 10, 1992 to an Information request from the California Department of Toxic Substances and Control, Textron may have sent drums periodically to the BAD Site for reconditioning or purchased empty drums from the BAD Site during the period August 3, 1970 to August 1, 1985, and at various times during this period approximately 100 drums per month may have been sent. According to the July 10, 1992 response the drums were principally empty with only small amounts of residual substances remaining, possibly a quart of material.

22. Describe the containers used to remove each type of waste containing any SOIs from the Facilities, including but not limited to:

- a. the type of container (e.g. 55 gal. drum, dumpster, etc.);
- b. the colors of the containers;
- c. any distinctive stripes or other markings on those containers;
- d. any labels or writing on those containers (including the content of those labels);
- e. whether those containers were new or used; and
- f. if those containers were used, a description of the prior use of the container;

Distinguish between the Relevant Time Period and the time period since 1988, and describe any changes in Respondent's practices over time.

22. Textron does not know all the Chemicals of Concern at the Bay Area Drum Site and therefore does not know what the Substances of Interest are. Therefore, it will answer this request with respect to all chemical substances, regardless of whether they constitute SOI. Textron believes the type of containers would have been 55 gallon drums. It believes that most of these would have been standard 55 gallon drums, closed head type. It believes that approximately 10% may have been open-head type drums. It does not have any specific information on markings, coloring or the like or to what extent they were used but believes at least some would have been used since those that may have been sent to the BAD Site would have been sent primarily for reconditioning, to be returned to the Spencer-Kellogg/Kelly Pickering facility.

23. For each type of waste generated at the Facilities that contained any of the SOIs, describe Respondent's contracts, agreements, or other arrangements for its disposal, treatment, or recycling and identify all parties to each contract, agreement, or other arrangement described. State the ownership of waste containers as specified under each contract, agreement, or other arrangement described and the ultimate destination or use for such containers. Distinguish between the Relevant Time Period and the time period since 1988, and describe any changes in Respondent's practices over time.

23. Textron does not know all the Chemicals of Concern at the Bay Area Drum Site and therefore does not know what the Substances of Interest are. Therefore, it will answer this request with respect to all chemical substances, regardless of whether they constitute SOI. According to Textron's response to an Information request from the California Department of Toxic Substances and Control the dated July 10, 1992, drums containing small amounts of residual chemical substances may have been sent to the BAD Site for reconditioning. According to a December 6, 1995 response to an EPA information request dated September 29, 1995 the Spencer-Kellogg/Kelly Pickering facility may have also sent such drums to the Lorentz Barrel Site for the same purpose. Textron does not know what the contractual arrangements were nor does it have information regarding the ownership of containers other than that which may be contained in the enclosed documents.

24. Identify all individuals who currently have, and those who have had, responsibility for Respondent's environmental matters (including responsibility for the disposal, treatment, storage, recycling, or sale of Respondent's wastes and SHCs). Provide the job title, duties, dates performing those duties, supervisors for those duties, current position or the date of the individual's resignation, and the

nature of the information possessed by such individuals concerning Respondent's waste management.

24. Textron does not know who these individuals would be. It sold the operation 25 years ago along with the business records from the facility. In 1989, in preparing a response to an earlier EPA information request, believed to be regarding the Lorentz Barrel Site, Textron consulted the individuals below as employees of the former Spencer-Kellogg/Kelly Pickering facility:

Brian Nippa
Reichhold Chemicals
952 Bransten Rd.
San Carlos, CA
(415) 593-8443

Fred Furrer
Saronix
Palo Alto, CA
(415) 856-6900

Jim Orfans
Reichhold Chemicals
952 Bransten Rd
San Carlos, CA
(415) 593-8443

Jim Tracewski
NL Chemicals
Wickoffs Mill Rd
Hightstown, NJ
(609) 443-2329

25. Did Respondent ever purchase drums or other containers from a drum recycler or drum reconditioner? If yes, identify the entities or individuals from which Respondent acquired such drums or containers.

25. Respondent believes that the Spencer-Kellogg facility may have purchased reconditioned drums from the BAD Site and from the Lorentz Barrel Site.

26. Prior to 1988, did Respondent always keep its waste streams that contained SOIs separate from its other waste streams?

26. Textron does not know all the Chemicals of Concern at the Bay Area Drum Site and therefore does not know what the Substances of Interest are. Therefore, it will answer this request with respect to all chemical substances, regardless of whether they constitute SOI. However, Textron does not have information regarding waste stream segregation.

27. Identify all removal and remedial actions conducted pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9601 et seq., or comparable state law; all corrective actions conducted pursuant to the Resource Conservation and Recovery Act, 42 U.S.C. § 6901 et seq.; and all cleanups conducted pursuant to the Toxic Substances Control Act, 15 U.S.C. § 2601 et seq. where (a) one of the COCs was addressed by the cleanup and (b) at which Respondent paid a portion of cleanup costs or performed work. Provide copies of all correspondence between Respondent and any federal or state government agency that (a) identifies a COC and (b) is related to one of the above-mentioned sites.

27. Textron does not know all the Chemicals of Concern at the Bay Area Drum Site. Therefore, it will answer this request with respect to all chemical substances, regardless of whether they constitute COCs. Textron is not aware of any such activities at the former Spencer Kellogg/Kelly Pickering facility. It has been involved in PRP groups relating to the BAD Site and the Lorentz Barrel Site. It has enclosed copies of its correspondence with the California DTSC and EPA regarding those matters.

28. Provide all records of communication between Respondent and Bay Area Drum Company, Inc.; Meyers Drum Company; A.W. Sorich Bucket and Drum Company; Waymire Drum Company, Inc.; Waymire Drum and Barrel Company, Inc.; Bedini Barrels Inc.; Bedini Steel Drum Corp.; Bedini Drum; or any other person or entity that owned or operated the facility located at 1212 Thomas Avenue, in the City and County of San Francisco, California.

28. Respondent does not possess any such communications.

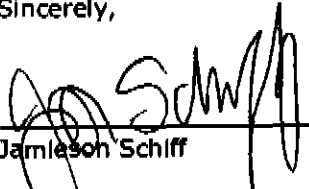
29. Identify the time periods regarding which Respondent does not have any records regarding the SOIs that were produced, purchased, used, or stored at the Facilities.

29. Textron does not know all the Chemicals of Concern at the Bay Area Drum Site and therefore does not know what the Substances of Interest are. Therefore, it will answer this request with respect to all chemical substances, regardless of whether they constitute SOI. Textron is providing all documents it has regarding chemical substances and containers that may have at one time contained them from the former Spencer-Kellogg/Kelly Pickering facility. For those time periods for which no documents are included it has no such records.

30. Provide copies of all documents containing information responsive to the previous twenty-nine questions and identify the questions to which each document is responsive.

30. Copies of such documents are enclosed.

Sincerely,


Jamieson Schiff

Attachments on CD